

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit: 2131

Application No.: 10/568,513

Examiner: Avery, Jeremiah L.

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Title: **ATTRIBUTE INFORMATION PROVIDING METHOD**

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BRIEF OF APPELLANT

This Appeal Brief, pursuant to the Notice of Appeal filed September 3, 2008, is an appeal from the rejection of the Examiner in the Final Office Action dated June 3, 2008.

REAL PARTY IN INTEREST

International Business Machines, Inc. is the real party in interest.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

Claims 23-32 are rejected. Claims 1-22 and 33-42 are cancelled. This Brief is in support of an appeal from the rejection of claims 23-32.

STATUS OF AMENDMENTS

Appellants' response filed on August 4, 2008 to the Final Office Action dated June 3, 2008 does not include any amendments.

SUMMARY OF CLAIMED SUBJECT MATTER

A. CLAIM 23 - INDEPENDENT

The present invention provides a method for providing attribute data. See specification, page 1, lines 2-3 ("an attribution providing method").

A request is received from a user device (30, Figure 1) from an attribute information providing server (10, Figure 1) via a network (70, Figure 1) for a virtual ID token relating to attribute information pertaining to a subscriber associated with the user device. See Figure 2, step S201; specification, page 14, lines 10-12.

Responsive to the request for the virtual ID token, a data record is read by the attribute information providing server (10, Figure 1) from a database (20, Figure 4), said data record comprising L attributes of the subscriber, L being at least 2. See Figure 2, step S203; specification, page 14, lines 15-17; specification, page 16, lines 18-26 ("plural attributes"); specification page 17, lines 3-5.

The data record is provided to the user device (30, Figure 1) by the attribute information providing server (10, Figure 1) via the network (70, Figure 1). See specification, page 17, lines 3-6.

A selection of M attributes of the L attributes (M less than L) is received by the attribute information providing server (10, Figure 1) from the user device (30, Figure 1) via the network (70, Figure 1). See specification, page 17, lines 13-16.

A virtual record is generated by the attribute information providing server (10, Figure 1). The virtual record includes the M attributes selected from the data record and includes a virtual ID (VID) for identifying the virtual record. See specification, page 17, lines 17-21.

The generated virtual record is stored by the attribute information providing server (10, Figure 1) in the database (20, Figure 4). See specification, page 17, lines 24-25.

The virtual ID token is provided by the attribute information providing server (10, Figure 1) to the user device (30, Figure 1) via the network (30, Figure 1). See Figure 2, steps S204; specification, page 14, lines 19-20.

The virtual ID token comprises the VID. See specification, page 14, lines 10-11.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Claims 23-25 and 27-32 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 6,453,353 to Win et al., hereinafter Win.
2. Claim 26 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Win as applied to claim 23, as cited above, and further in view of United States Patent No. 6,834,272 to Naor et al., hereinafter Naor.

ARGUMENT

GROUND OF REJECTION 1

Claims 23-25 and 27-32 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by United States Patent No. 6,453,353 to Win et al., hereinafter Win.

Claim 23

Appellants respectfully contend that Win does not anticipate claim 23, because Win does not teach each and every feature of claim 23.

As a first example of why Win does not anticipate claim 23, Win does not teach the feature: “receiving a request from a user device via a network for a virtual ID token relating to attribute information pertaining to a subscriber associated with the user device”.

The Examiner alleges that the claimed “virtual ID token” is represented in Win as “an association of each resource in one or more roles”, as indicated by the Examiner in “Response to Arguments”. Win, col. 2, lines 55-56 explains that “role” relates to the user’s role in an enterprise. Therefore, the Examiner is alleging that the claimed “virtual ID token” is an association of each resource in one or more roles of the user in the enterprise.

Given the Examiner’s interpretation of “virtual ID token” in Win, the preceding feature to search for in Win is: receiving a request from a user device via a network for an association of each resource in one or more roles of the user, said token relating to attribute information pertaining to a subscriber associated with the user device.

The Examiner argues that Win teaches the preceding feature of claim 23 in Win, Figures 5A, 5C, and col. 2, lines 42-67.

In response, Appellants acknowledge that Win describes storing in a database information describing the role of a user (Win, col. 2, 57-58). However, Appellants cannot find a teaching of *receiving of the request* for the preceding information concerning the role of the user in Win, Figures 5A, 5C, and col. 2, lines 42-67. Appellants cannot find *receiving of a request* of any kind in Win, Figures 5A, 5C, and col. 2, lines 42-67.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a second example of why Win does not anticipate claim 23, Win does not teach the feature: "responsive to the request for the virtual ID token, reading a data record from a database, said data record comprising L attributes of the subscriber, L being at least 2".

The Examiner argues that Win teaches the preceding feature of claim 23 in Win, Figures 5a, 5b and 5e, column 10, lines 14-26 and 41-55, column 11 and lines 42-64.

In response, Appellants note that the Examiner has not revealed specifically what the Examiner considers in Win to represent the claimed data record in Win, Figures 5a, 5b and 5e, column 10, lines 14-26 and 41-55, column 11 and lines 42-64, which makes the Examiner's argument vague and unclear.

In further response, Appellants note that the Examiner has not specifically identified in Win the L attributes comprised by the data record, which makes the Examiner's argument vague and unclear.

In the absence of clarity by the Examiner, Appellants assume that the Examiner considers the reading of a user profile in step 538 of Win, Figure 5E to represent the claimed "reading a

data record". However, Win, Figures 5a, 5b and 5e, column 10, lines 14-26 and 41-55, column 11 and lines 42-64 does not teach that the user profile comprises at least 2 attributes, as required by claim 23.

Furthermore, Figures 5a, 5b and 5e, column 10, lines 14-26 and 41-55, column 11 and lines 42-64 does not teach that reading of a user profile in step 538 of Win is "responsive to the request for the virtual ID token" as required by claim 23, wherein the "request" is the request recited in the claimed "receiving the request" step.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a third example of why Win does not anticipate claim 23, Win does not teach the feature: "providing the data record to the user device via the network".

The Examiner argues: "Win teaches ... providing the data record to the user device via the network (Figures 1, 2 and 6-8, column 5, lines 1-12 and column 26, lines 14-67, "remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via modem" "Communication interface 918 provides a two-way data communication coupling to a network link 920 that is connected to a local network 922" and "Network link 920 typically provides data communication through one or more networks to other data devices")".

In response, Appellants assert that the preceding quote from Win by the Examiner is taken from a discussion of a generic computer system. This discussion of a generic computer system does not teach "providing the data record to the user device via the network" wherein the

“data record” is the same data record as appears in the feature of “reading a data record from a database”.

Under Appellants’ assumption stated *supra* that the user profile read in step 538 of Win, Figure 5E represents the claimed data record, Appellants note that in Win, FIG. 5E the user profile is not provided to the user device (as required in the preceding feature of claim 23) but rather is provided to the registry server in step 108.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a fourth example of why Win does not anticipate claim 23, Win does not teach the feature: “receiving, from the user device via the network, a selection of M attributes of the L attributes, M being less than L”.

The Examiner argues: “Win teaches ... receiving, from the user device via the network, a selection of M attributes of the L attributes, M being less than L (Figure 10b, column 26, lines 14-67, “remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via a modem” “Communication interface 918 provides a two-way data communication coupling to a network link 920 that is connected to a local network 922” and “Network link 920 typically provides data communication through one or more networks to other data devices”)”.

In response, Appellants note that the Examiner has not specifically identified in Win: the M attributes selected from the data record, which makes the Examiner’s argument vague and unclear. The Examiner has not even identified the data record. In Win

Appellants assert that the preceding quote from Win by the Examiner is taken from a discussion of a discussion of a generic computer system that is totally silent as to the claimed "selection of M attributes of the L attributes, M being less than L".

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a fifth example of why Win does not anticipate claim 23, Win does not teach the feature: "generating a virtual record including the M attributes selected from the data record, said virtual record comprising a virtual ID (VID) for identifying the virtual record".

The Examiner argues that Win teaches the preceding feature of claim 23 in Win, Figures 10a-10c, column 12, lines 32-55 and column 15, lines 35-52.

In response, Appellants assert that the Examiner has not specifically identified which content in Win, Figures 10a-10c, column 12, lines 32-55 and column 15, lines 35-52 allegedly represents the claimed virtual record and the allegedly included virtual ID and M attributes. Therefore, Appellants cannot evaluate the Examiner's argument, especially since the M attributes in the virtual record are required by the language of claim 23 to be the same M attributes received from the user device. Therefore, the preceding argument by the Examiner argument is not persuasive.

The Examiner has not even identified what allegedly represents the virtual ID in Win.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a sixth example of why Win does not anticipate claim 23, Win does not teach the feature: “storing the generated virtual record in the database”.

The Examiner argues: “Win teaches ... storing the generated virtual record in the database (column 3, lines 7-40, “storing, in the database an association of each resource to one or more of the roles”, column 5, lines 13-20, column 12, lines 32-55 and column 15, lines 35-52)”.

In response, Appellants assert that the Examiner’s argument is inconsistent makes no sense. The Examiner argues that both the “virtual ID token” and the “generated virtual record are both “an association of each resource to one or more of the roles” and are therefore identical to each other. Win does not teach this and the Examiner has offered no evidence with accompanying analysis that Win teaches this.

In other words, the Examiner is arguing that Win teaches receiving a request from a user device a token comprising “an association of each resource to one or more of the roles”, reading a data record in response to the request and providing the data record to the user device, receiving from the user device M of L attributes of the data record ($M < L$), generating a virtual record of the M attributes and storing the generated virtual record in the user device, wherein the “generated virtual record comprises the same information as the virtual ID token (“an association of each resource to one or more of the roles”).

Appellants assert that Win does not teach the preceding scenario and the Examiner has not even attempted to provide analysis allegedly demonstrating that Win teaches the preceding scenario. The Examiner freely makes allegations, but provides absolutely no analysis to support the Examiner’s allegations.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As a seventh example of why Win does not anticipate claims 23, Win does not teach the feature: "providing the virtual ID token to the user device via the network, wherein the virtual ID token comprises the VID".

The Examiner argues: "Win teaches ... providing the virtual ID token to the user device via the network, wherein the virtual ID token comprises the VID (Figures 1, 2 and 6-8, column 2, lines 42-67, column 5, lines 1-12 and column 26, lines 14-67, "remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via a modem" "Communication interface 918 provides a two-way data communication coupling to a network link 920 that is connected to a local network 922" and "Network link 920 typically provides data communication through one or more networks to other data devices"".

In response, Appellants assert that the preceding quote from Win by the Examiner is taken from a discussion of a generic computer system. Noting that the Examiner alleges that virtual ID token in Win is "an association of each resource to one or more of the roles of the user, Appellants assert that the preceding quote from Win does not teach providing the association of each resource to one or more of the roles to the user device via the network, wherein the association of each resource to one or more of the roles of the user comprises the VID.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

As an eighth example of why Win does not anticipate claim 23, Win does not teach the feature: "wherein an attribute information providing server performs said receiving the request for the virtual ID token, said reading the data record from the database, said providing the data record to the user device, said receiving the selection of M attributes, said generating the virtual record, said storing the generated virtual record in the database, and said providing the virtual ID token to the user device".

The Examiner argues: "Win teaches ... wherein an attribute information providing server performs said receiving the request for the virtual ID token, said reading the data record from the database, said providing the data record to the user device, said receiving the selection of M attributes, said generating the virtual record, said storing the generated virtual record in the database, and said providing the virtual ID token to the user device (column 3, lines 7-40, "storing, in the database an association of each resource to one or more of the roles", column 5, lines 13-20, column 11, lines 42-64, column 12, lines 32-55 and column 15, lines 35-52)."

In response, Appellants assert that the Examiner has not properly addressed the preceding feature of claim 23. In particular, the Examiner has not identified an attribute information providing server (or any other server) that performs all of the recited steps (i.e., the steps of "said receiving the request for the virtual ID token, said reading the data record from the database, said providing the data record to the user device, said receiving the selection of M attributes, said generating the virtual record, said storing the generated virtual record in the database, and said providing the virtual ID token to the user device"). Therefore, the Examiner's argument is not relevant to the preceding feature of claim 23 and is therefore not persuasive.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 23.

Accordingly, Win does not teach the preceding feature of claim 23.

Based on the preceding arguments, Appellants respectfully maintain that Win does not anticipate claim 23, and that claim 23 is in condition for allowance. Since claims 24, 25 and 27-32 depend from claim 23, Appellants contend that claims 24, 25 and 27-32 are likewise in condition for allowance.

Claim 24

Since claim 24 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 24 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 24, Win does not teach the feature: “receiving a request comprising the VID for attribute information associated with the VID from an attribute information receiving apparatus via the network”.

The Examiner argues: “Win teaches receiving a request comprising the VID for attribute information associated with the VID from an attribute information receiving apparatus via the network (Figures 10a-10c, column 12, lines 32-55 and column 15, lines 35-52)”.

In response, Appellants note that the Examiner has not identified specifically what allegedly represents the VID in Win which makes the Examiner’s argument vague and unclear.

Appellants respectfully contend that Win, Figures 10a-10c, col. 12, lines 32-55 and col. 15, lines 35-52 does not mention anything about a VID.

In addition, Appellants respectfully contend that Win, Figures 10a-10c, col. 12, lines 32-55 and col. 15, lines 35-52 does not mention anything about receiving a request comprising the VID.

In addition, Appellants respectfully contend that Win, Figures 10a-10c, col. 12, lines 32-55 and col. 15, lines 35-52 does not mention anything about receiving a request comprising the VID for attribute information associated with the VID.

In addition, Appellants respectfully contend that Win, Figures 10a-10c, col. 12, lines 32-55 and col. 15, lines 35-52 does not mention anything about receiving a request comprising the VID for attribute information associated with the VID from an attribute information receiving apparatus via the network.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 24.

Accordingly, Win does not teach the preceding feature of claim 24.

In addition with respect to claim 24, Win does not teach the feature: "reading the virtual record from the database in response to the request comprising the VID".

The Examiner argues: "Win teaches ... reading the virtual record from the database in response to the request comprising the VID (column 3, lines 7-40, "storing, in the database an association of each resource to one or more of the roles", column 5, lines 13-20, column 11, lines 42-64, column 12, lines 32-55 and column 15, lines 35-52).

In response, Appellants assert that the Examiner has erroneously equated "storing" a record to "reading" a record. Therefore, the Examiner's argument is illogical.

Furthermore, the Examiner makes the assumption both the virtual ID token and the virtual record comprises an association of each resource to one or more of the roles of the user, without examining this assumption is consistent with respect to the language of claim 24. Appellants assert that the preceding assumption by the Examiner is not logically consistent,

because claim 23 recites generating the virtual record after the virtual ID token has already been previously generated.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 24.

Accordingly, Win does not teach the preceding feature of claim 24.

In addition with respect to claim 24, Win does not teach the feature: "after said reading, providing the virtual record to the attribute information receiving apparatus via the network".

The Examiner argues: "Win teaches ... after said reading, providing the virtual record to the attribute information receiving apparatus via the network (Figures 1, 2 and 6-8, column 2, lines 42-67, column 5, lines 1-12 and column 26, lines 14-67, "remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via a modem" "Communication interface 918 provides a two-way data communication coupling to a network link 920 that is connected to a local network 922" and "Network link 920 typically provides data communication through one or more networks to other data devices")".

In response, Appellants assert that the Examiner has not specifically identified in Win the claimed virtual record. Therefore, the Examiner's argument is vague and unclear. In fact, the Examiner's argument does not even address the virtual record in the preceding feature of claim 24.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 24.

Accordingly, Win does not teach the preceding feature of claim 24.

In addition with respect to claim 24, Win does not teach the feature: “wherein the attribute information providing server performs said receiving the request comprising the VID, said reading the virtual record from the database, and said providing the virtual record to the attribute information receiving apparatus”.

The Examiner argues: “Win teaches ... wherein the attribute information providing server performs said receiving the request comprising the VID, said reading the virtual record from the database, and said providing the virtual record to the attribute information receiving apparatus (column 2, lines 42-67, column 3, lines 7-40, "storing, in the database an association of each resource to one or more of the roles", column 5, lines 13-20, column 12, lines 32-55 and column 15, lines 35-52)”.

In response, Appellants assert that the Examiner has not properly addressed the preceding feature of claim 234. In particular, the Examiner has not identified an attribute information providing server (or any other server) that performs the recited steps of “said receiving the request comprising the VID, said reading the virtual record from the database, and said providing the virtual record to the attribute information receiving apparatus”.. Therefore, the Examiner’s argument is not relevant to the preceding feature of claim 24 and is therefore not persuasive.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 24.

Accordingly, Win does not teach the preceding feature of claim 24.

Claim 25

Since claim 25 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 25 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 25, Win does not teach the feature: “wherein said providing the virtual record to the attribute information receiving apparatus is performed in manner that ensures that the virtual ID is concealed from the attribute information receiving apparatus when the virtual record is received by the attribute information receiving apparatus”.

The Examiner argues: “Regarding claim 25, Win teaches wherein said providing the virtual record to the attribute information receiving apparatus is performed in manner that ensures that the virtual ID is concealed from the attribute information receiving apparatus when the virtual record is received by the attribute information receiving apparatus (Figures 3b, 3c, 4, 5a-5e and 6, column 6, lines 41-54, column 8, lines 23-63, column 9, lines 41-60 and column 10, lines 41-63).”

In response, Appellants assert that the Examiner has not specifically identified in Win the claimed virtual record. Therefore, the Examiner’s argument is vague and unclear.

In addition, the Examiner has provided no analysis to demonstrate that Win (Figures 3b, 3c, 4, 5a-5e and 6, column 6, lines 41-54, column 8, lines 23-63, column 9, lines 41-60 and column 10, lines 41-63) teaches the preceding feature of claim 25. In particular, the Examiner has not identified the virtual record, the virtual ID, the attribute information receiving apparatus, and concealment of the virtual ID from the attribute information receiving apparatus when the virtual record is received by the attribute information receiving apparatus.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 25.

Accordingly, Win does not teach the preceding feature of claim 25.

Claim 27

Since claim 27 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 27 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 27, Win does not teach the feature: “after said providing the virtual record to the attribute information receiving apparatus: providing, by the attribute information providing server, an attribute certificate to the attribute information receiving apparatus in relation to a new transaction between the subscriber and the attribute information receiving apparatus, wherein the attribute certificate pertains to the M attributes in the virtual record provided to the attribute information receiving apparatus”

The Examiner argues: “Regarding claim 27, Win teaches after said providing the virtual record to the attribute information receiving apparatus: providing, by the attribute information providing server, an attribute certificate to the attribute information receiving apparatus in relation to a new transaction between the subscriber and the attribute information receiving apparatus, wherein the attribute certificate pertains to the M attributes in the virtual record provided to the attribute information receiving apparatus (column 5, lines 66 and 67, column 6, lines 1-9, column 17, lines 28-37, column 19, lines 56-63 and column 22, lines 41-46).”

In response, Appellants assert that the Examiner has not specifically identified in Win: the attribute information providing server, the attribute certificate, and the M attributes in the virtual record. Therefore, the Examiner’s argument is vague and unclear.

Moreover, the Examiner has not provided any analysis to demonstrate the Win (column 5, lines 66 and 67, column 6, lines 1-9, column 17, lines 28-37, column 19, lines 56-63 and column 22, lines 41-46) teaches the preceding feature of claim 27.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 27.

Accordingly, Win does not teach the preceding feature of claim 27.

Claim 28

Since claim 28 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 28 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 28, Win does not teach the feature: "wherein the attribute information providing server comprises: a customer record display unit for displaying the virtual record; an attribute selection unit for extracting the M attributes from the data record prior to said generating the virtual record; a virtual record generation unit for performing said generating the virtual record; a VID token issue unit for performing generating the virtual ID token prior to said providing the virtual token ID to the user device; a virtual record referencing unit for referencing the virtual record based on the VID prior to said providing the virtual record to the attribute information receiving apparatus; and a virtual record issue unit for performing said providing the virtual record to the attribute information receiving apparatus".

The Examiner argues: "Regarding claim 28, Win teaches wherein the attribute information providing server comprises: a customer record display unit for displaying the virtual record (Figures 10a-10c, column 17, lines 52-67 and column 18, lines 14-27); an attribute

selection unit for extracting the M attributes from the data record prior to said generating the virtual record (Figures 10a-10c, column 12, lines 32-55, column 15, lines 35-52 and column 16, lines 13-58); a virtual record generation unit for performing said generating the virtual record (Figures 10a-10c, column 12, lines 32-55, column 15, lines 35-52 and column 16, lines 13-58); a VID token issue unit for performing generating the virtual ID token prior to said providing the virtual token ID to the user device (Figures 5a, 5b and 5e, column 2, lines 42-67, column 10, lines 14-26 and 41-55, column 11 and lines 42-64); a virtual record referencing unit for referencing the virtual record based on the VID prior to said providing the virtual record to the attribute information receiving apparatus (Figures 10a-10c, column 12, lines 32-55, column 15, lines 35-52 and column 16, lines 13-58); and a virtual record issue unit for performing said providing the virtual record to the attribute information receiving apparatus (Figures 1, 2 and 6-8, column 2, lines 42-67, column 5, lines 1-12 and column 26, lines 14-67, "remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via a modem" "Communication interface 918 provides a two-way data communication coupling to a network link 920 that is connected to a local network 922" and "Network link 920 typically provides data communication through one or more networks to other data devices")."

In response, Appellants assert that the Examiner has not specifically identified in Win: the customer record display unit, the virtual record generation unit, the VID token issue unit; the virtual record referencing unit for referencing the virtual record based on the VID prior to said providing the virtual record to the attribute information receiving apparatus, and the virtual record issue unit. Therefore, the Examiner's argument is vague and unclear.

Moreover, the Examiner has not provided any analysis to demonstrate the preceding citations Win teach the preceding feature of claim 28.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 28.

Accordingly, Win does not teach the preceding feature of claim 28.

Claim 29

Since claim 29 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 29 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 29, Win does not teach the feature: "wherein the VID token further comprises a URL of the attribute information providing server".

The Examiner argues: "Regarding claim 29, Win teaches wherein the VID token further comprises a URL of the attribute information providing server (Figures 3a-3c, column 5, lines 13-21, 66 and 67, column 6, lines 1-9 and 58-65, column 7, lines 45-57, column 8, lines 5-63 and column 14, lines 34-43 and 56-67)."

In response, Appellants note that the Examiner has alleged that in Win the claimed "virtual ID token" is represented as an association of each resource in one or more roles of the user in the enterprise. Therefore, the Examiner is arguing that Win teaches that an association of each resource in one or more roles of the user in the enterprise comprises a URL of the attribute information providing server. However, none of the preceding citation by the Examiner (Figures 3a-3c, column 5, lines 13-21, 66 and 67, column 6, lines 1-9 and 58-65, column 7, lines 45-57, column 8, lines 5-63 and column 14, lines 34-43 and 56-67) teaches that an association of each resource in one or more roles of the user in the enterprise comprises a URL of the attribute information providing server. The Examiner appears to have cited the preceding portions of Win

in which “URL” appears without analyzing these citations to determine whether these citations teach that an association of each resource in one or more roles of the user in the enterprise comprises a URL of the attribute information providing server.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 29.

Accordingly, Win does not teach the preceding feature of claim 29.

Claim 30

Since claim 30 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 30 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 30, Win does not teach the feature: “wherein the VID token further comprises a URL of the attribute information providing server”.

The Examiner argues: “Regarding claim 30, Win teaches wherein the attribute information providing server is selected from the group consisting of a financial institution, an Internet Service Provider (ISP), and a shopping site on the network (column 26, lines 44-67).”

In response, Appellants note that the Examiner appears to be arguing (from Win, col. 26, lines 44-67) that the attribute information providing server in Win is an Internet Service Provider (ISP). Specifically, Win, col. 26, lines 44-67 states that the ISP may represent the host 924 in Win, FIG. 9.

From the language of claim 23 from which claim 30 depends, however, the ISP (alleged by the Examiner to represent the attribute information providing server) is required to perform “said receiving the request for the virtual ID token, said reading the data record from the

database, said providing the data record to the user device, said receiving the selection of M attributes, said generating the virtual record, said storing the generated virtual record in the database, and said providing the virtual ID token to the user device", which Win does not teach and which the Examiner has not even addressed.

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 30.

Accordingly, Win does not teach the preceding feature of claim 30.

Claim 31

Since claim 31 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 31 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 31, Win does not teach the feature: "receiving a selection of M1 attributes of the L attributes in the data record, wherein the M1 attributes are not identical to the M attributes".

The Examiner argues: "Regarding claim 31, Win teaches receiving a selection of M1 attributes of the L attributes in the data record, wherein the M1 attributes are not identical to the M attributes (Figure 10b, column 3, lines 7-40, "storing, in the database an association of each resource to one or more of the roles", column 5, lines 13-20, column 11, lines 42-64, column 12, lines 32-55, column 15, lines 35-52 and column 26, lines 14-67, "remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line via a modem" "Communication interface 918 provides a two-way data communication coupling to a

network link 920 that is connected to a local network 922" and "Network link 920 typically provides data communication through one or more networks to other data devices")"

In response, Appellants note that the Examiner has not specifically identified the M1 attributes and the M attributes of the L attributes in the data record. Therefore, the Examiner's argument is vague and unclear.

Moreover, the Examiner has not provided any analysis to demonstrate the preceding citations Win teach the preceding feature of claim 31. For example, the Examiner has not even addressed the claim feature of "wherein the M1 attributes are not identical to the M attributes".

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 31.

Accordingly, Win does not teach the preceding feature of claim 31.

In addition with respect to claim 31, Win does not teach the feature: "storing a second virtual record in the database, wherein the second virtual record comprises the M1 attributes, and wherein the attribute information providing server performs said receiving the selection of M1 attributes and said storing the second virtual record in the database".

The Examiner argues: "Regarding claim 31, Win teaches ... storing a second virtual record in the database, wherein the second virtual record comprises the M1 attributes, and wherein the attribute information providing server performs said receiving the selection of M1 attributes and said storing the second virtual record in the database (column 3, lines 7-40, "storing, in the database an association of each resource to one or more of the roles", column 5, lines 13-20, column 11, lines 42-64, column 12, lines 32-55 and column 15, lines 35-52)."

In response, Appellants note that the Examiner has not specifically identified in Win: the virtual record, the second virtual record as contrasted with the virtual record, the M1 attributes the L attributes in the data record, and the attribute information providing server. Therefore, the Examiner's argument is vague and unclear.

Moreover, the Examiner has not provided any analysis to demonstrate the preceding citations Win teach the preceding feature of claim 31

In addition, the Examiner has not even considered the limitation of "wherein the attribute information providing server performs said receiving the selection of M1 attributes and said storing the second virtual record in the database".

The Examiner has not persuasively supported the Examiner's allegation with respect to Win's alleged teaching of the preceding feature of claim 31.

Accordingly, Win does not teach the preceding feature of claim 31.

Claim 32

Since claim 32 depends from claim 23, which Appellants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(e), Appellants maintain that claim 32 is likewise not anticipated by Win under 35 U.S.C. §102(e).

In addition with respect to claim 32, Win does not teach the feature: "wherein the data record comprises a globally-unique ID (GID) serving as a primary key of the data record, wherein the VID is a primary key of the virtual record, and wherein the VID is independent of the GID".

The Examiner argues: "Regarding claim 32, Win teaches wherein the data record comprises a globally-unique ID (GID) serving as a primary key of the data record, wherein the

VID is a primary key of the virtual record, and wherein the VID is independent of the GID (Figures 10a-10c, column 12, lines 32-55, column 15, lines 35-52 and column 16, lines 13-58).”

In response, Applicants note that the Examiner has not specifically identified in Win: the data record, the virtual record, the GID, and the VID. Therefore, the Examiner’s argument is vague and unclear.

Moreover, the Examiner has not provided any analysis to demonstrate the preceding citations in Win teach the preceding feature of claim 32. In particular, the Examiner has not explained how the preceding citations Win teach that: the GID serves as a primary key of the data record; the VID serves as a primary key of the virtual record, and the VID is independent of the GID.

The Examiner has not persuasively supported the Examiner’s allegation with respect to Win’s alleged teaching of the preceding feature of claim 32.

Accordingly, Win does not teach the preceding feature of claim 32.

GROUND OF REJECTION 2

Claim 26 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Win as applied to claim 23, as cited above, and further in view of United States Patent No. 6,834,272 to Naor et al., hereinafter Naor.

Since claim 26 depends from claim 23, which Applicants have argued *supra* to not be anticipated by Win under 35 U.S.C. §102(3), Applicants maintain that claim 26 is likewise not unpatentable over Win in view of Naor under 35 U.S.C. §103(a).

In addition with respect to claim 26, Win in view of Naor does not disclose the feature: "wherein said providing the virtual record to the attribute information receiving apparatus is performed using a 1-out-of-N OT (Oblivious Transfer) protocol".

The Examiner argues: "Regarding claim 26, Naor teaches wherein said providing the virtual record to the attribute information receiving apparatus is performed using a 1-out-of-N OT (Oblivious Transfer) protocol (Figures 5 and 7, column 11, lines 30-67, column 12, lines 1-3 and 34-44, column 13, lines 42-55, column 17, lines 35-66 and column 19, lines 52-64)... Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Naor within the teachings of Win in order for "any number of parties, via a center, to collectively compute any function in a manner that preserves the privacy of the individual private inputs of the parties to the collective computation, even after the computation of the function has been completed" (*Naor*— column 4, lines 46-58)."

In response, Appellants respectfully contend that the Examiner's stated reason for modifying Win by the alleged teaching of Naor is not persuasive, because the Examiner stated reason, and the Examiner's citation to Naor, col. 4, 46-58, is unrelated to the 1-out-of-N OT (Oblivious Transfer) protocol recited in the preceding feature of claim 26.

Accordingly, the preceding feature of claim 26 is not unpatentable over Win in view of Naor under 35 U.S.C. §103(a).

SUMMARY

In summary, Appellants respectfully requests reversal of the June 3, 2008 Office Action rejection of claims 23-32.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yoshinobu Ishigaki *et al.*

Group Art Unit: 2131

Application No.: 10/568,513

Examiner: Avery, Jeremiah L.

Filing Date: 02/15/2006

Docket No.: JP920030171US1

Title: **ATTRIBUTE INFORMATION PROVIDING METHOD**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPENDIX A - CLAIMS ON APPEAL

23. A method for providing attribute data, said method comprising:

receiving a request from a user device via a network for a virtual ID token relating to attribute information pertaining to a subscriber associated with the user device;

responsive to the request for the virtual ID token, reading a data record from a database, said data record comprising L attributes of the subscriber, L being at least 2;

providing the data record to the user device via the network;

receiving, from the user device via the network, a selection of M attributes of the L attributes, M being less than L;

generating a virtual record including the M attributes selected from the data record, said virtual record comprising a virtual ID (VID) for identifying the virtual record;

storing the generated virtual record in the database; and

providing the virtual ID token to the user device via the network, wherein the virtual ID token comprises the VID, wherein an attribute information providing server performs said

receiving the request for the virtual ID token, said reading the data record from the database, said providing the data record to the user device, said receiving the selection of M attributes, said generating the virtual record, said storing the generated virtual record in the database, and said providing the virtual ID token to the user device.

24. The method of claim 23, said method further comprising:

receiving a request comprising the VID for attribute information associated with the VID from an attribute information receiving apparatus via the network;

reading the virtual record from the database in response to the request comprising the VID; and

after said reading, providing the virtual record to the attribute information receiving apparatus via the network, wherein the attribute information providing server performs said receiving the request comprising the VID, said reading the virtual record from the database, and said providing the virtual record to the attribute information receiving apparatus.

25. The method of claim 24, wherein said providing the virtual record to the attribute information receiving apparatus is performed in manner that ensures that the virtual ID is concealed from the attribute information receiving apparatus when the virtual record is received by the attribute information receiving apparatus.

26. The method of claim 25, wherein said providing the virtual record to the attribute information receiving apparatus is performed using a 1-out-of-N OT (Oblivious Transfer) protocol.

27. The method of claim 24, said method further comprising after said providing the virtual record to the attribute information receiving apparatus:

providing, by the attribute information providing server, an attribute certificate to the attribute information receiving apparatus in relation to a new transaction between the subscriber and the attribute information receiving apparatus, wherein the attribute certificate pertains to the M attributes in the virtual record provided to the attribute information receiving apparatus.

28. The method of claim 24, wherein the attribute information providing server comprises:

a customer record display unit for displaying the virtual record;

an attribute selection unit for extracting the M attributes from the data record prior to said generating the virtual record;

a virtual record generation unit for performing said generating the virtual record;

a VID token issue unit for performing generating the virtual ID token prior to said providing the virtual token ID to the user device;

a virtual record referencing unit for referencing the virtual record based on the VID prior to said providing the virtual record to the attribute information receiving apparatus; and

a virtual record issue unit for performing said providing the virtual record to the attribute information receiving apparatus.

29. The method of claim 23, wherein the VID token further comprises a URL of the attribute information providing server.

30. The method of claim 23, wherein the attribute information providing server is selected from the group consisting of a financial institution, an Internet Service Provider (ISP), and a shopping site on the network.

31. The method of claim 23, further comprising:

receiving a selection of M1 attributes of the L attributes in the data record, wherein the M1 attributes are not identical to the M attributes; and

storing a second virtual record in the database, wherein the second virtual record comprises the M1 attributes, and wherein the attribute information providing server performs said receiving the selection of M1 attributes and said storing the second virtual record in the database.

32. The method of claim 23, wherein the data record comprises a globally-unique ID (GID) serving as a primary key of the data record, wherein the VID is a primary key of the virtual record, and wherein the VID is independent of the GID.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yoshinobu Ishigaki *et al.*

Group Art Unit: 2131

Application No.: 10/568,513

Examiner: Avery, Jeremiah L.

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APPENDIX B - EVIDENCE

There is no evidence entered by the Examiner and relied upon by Appellants in this appeal.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPENDIX C - RELATED PROCEEDINGS

There are no proceedings identified in the "Related Appeals and Interferences" section.